

**6450. Adulteration and misbranding of sardines. U. S. \* \* \* v. 100 Cases of Sardines. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 8673. I. S. No. 8752-p. S. No. C-785.)

On December 27, 1917, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 100 cases, each containing 12 cases of sardines, remaining unsold in the original unbroken packages, at New Orleans, La., alleging that the article had been shipped on or about November 10, 1917, by James & Washington, Philadelphia, Pa., and transported from the State of Pennsylvania into the State of Louisiana, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Balboa Brand Sardines."

Adulteration of the article was alleged in the libel for the reason that it consisted of a filthy and decomposed animal substance.

Misbranding of the article was alleged for the reason that it purported to be a foreign product, whereas, in fact, it was manufactured in the United States.

On February 14, 1918, no claimants having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*